

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

v.

DEBRA LYNN MERCER-ERWIN (1)

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§
§
§
§

Case No. 4:20-CR-212

VERDICT OF THE JURY

We the Jury find as follows:

COUNT ONE

As to the offense charged in Count One of the Fifth Superseding Indictment, conspiracy to possess with the intent to distribute a mixture or substance containing a detectable amount of cocaine, we, the Jury, find the defendant **Debra Lynn Mercer-Erwin**:

 X Guilty Not Guilty

If, and only if, you have found defendant guilty of Count One of the Fifth Superseding Indictment, you must consider the following special issues. You must determine (1) the quantity of cocaine, if any, attributable to the overall scope of the conspiracy during the time that defendant was a member of the conspiracy; and (2) the quantity of cocaine, if any, defendant was individually responsible for or the quantity that defendant could reasonably have foreseen that the conspiracy involved.

SPECIAL ISSUE ONE — COUNT ONE

Please indicate your unanimous finding, beyond a reasonable doubt, of the quantity involved in the overall scope of the conspiracy, if any, of which you have found the defendant to be a member and during the time she was a member, related to a mixture or substance containing cocaine.

☒ 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine;

☐ 500 grams but less than 5 kilograms of a mixture or substance containing a detectable amount of cocaine;

☐ Less than 500 grams of a mixture or substance containing a detectable amount of cocaine.

SPECIAL ISSUE TWO — COUNT ONE

Please indicate your unanimous finding, beyond a reasonable doubt, of the quantity involved in the overall conspiracy, if any, related to a mixture or substance containing cocaine that **Debra Lynn Mercer-Erwin** was individually responsible for or could have reasonably foreseen that the conspiracy involved. A quantity of cocaine may only be attributed to the defendant if that quantity was within the scope of the conspiracy after the defendant entered into the conspiracy.

☒ 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine;

☐ 500 grams but less than 5 kilograms of a mixture or substance containing a detectable amount of cocaine;

_____ Less than 500 grams of a mixture or substance containing a detectable amount of cocaine.

COUNT TWO

As to the offense charged in Count Two of the Fifth Superseding Indictment, conspiracy to manufacture or distribute a mixture or substance containing a detectable amount of cocaine intending, knowing, or with reasonable cause to believe that such cocaine would be unlawfully imported into the United States, we, the Jury, find the defendant **Debra Lynn Mercer-Erwin**:

 X Guilty _____ Not Guilty

If, and only if, you have found defendant guilty of Count Two of the Fifth Superseding Indictment, you must consider the following special issues. You must determine (1) the quantity of cocaine, if any, attributable to the overall scope of the conspiracy during the time that defendant was a member of the conspiracy; and (2) the quantity of cocaine, if any, defendant was individually responsible for or the quantity that defendant could reasonably have foreseen that the conspiracy involved.

SPECIAL ISSUE ONE — COUNT TWO

Please indicate your unanimous finding, beyond a reasonable doubt, of the quantity involved in the overall scope of the conspiracy, if any, of which you have found the defendant to be a member and during the time she was a member, related to a mixture or substance containing cocaine.

 X 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine;

_____ 500 grams but less than 5 kilograms of a mixture or substance containing a

detectable amount of cocaine;

_____ Less than 500 grams of a mixture or substance containing a detectable amount of cocaine.

SPECIAL ISSUE TWO — COUNT TWO

Please indicate your unanimous finding, beyond a reasonable doubt, of the quantity involved in the overall conspiracy, if any, related to a mixture or substance containing cocaine that **Debra Lynn Mercer-Erwin** was individually responsible for or could have reasonably foreseen that the conspiracy involved. A quantity of cocaine may only be attributed to the defendant if that quantity was within the scope of the conspiracy after the defendant entered into the conspiracy.

☒ 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine;

_____ 500 grams but less than 5 kilograms of a mixture or substance containing a detectable amount of cocaine;

_____ Less than 500 grams of a mixture or substance containing a detectable amount of cocaine.

COUNT THREE

As to the offense charged in Count Three of the Fifth Superseding Indictment, manufacturing and distributing five kilograms or more of cocaine intending, knowing and with reasonable cause to believe that the cocaine will be unlawfully imported into the United States, we, the Jury, find the defendant **Debra Lynn Mercer-Erwin**:

_____ Guilty ~~_____~~ Not Guilty

SPECIAL ISSUE ONE — COUNT THREE

If, and only if, you have found defendant guilty of Count Three of the Fifth Superseding Indictment, you must consider the following special issue. You must determine the quantity of cocaine, if any, that defendant was individually responsible for. Indicate below the unanimous findings, beyond a reasonable doubt, of the quantity range of cocaine, if any, attributable to defendant.

_____ 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine;

_____ 500 grams but less than 5 kilograms of a mixture or substance containing a detectable amount of cocaine;

_____ Less than 500 grams of a mixture or substance containing a detectable amount of cocaine.

COUNT FOUR

As to the offense charged in Count Four of the Fifth Superseding Indictment, conspiracy to commit money laundering, we, the Jury, find the defendant **Debra Lynn Mercer-Erwin**:

 X Guilty Not Guilty

COUNT FIVE

As to the offense charged in Count Six of the Fifth Superseding Indictment, conspiracy to commit export violations, we, the Jury, find the defendant **Debra Lynn Mercer-Erwin**:

 Guilty X Not Guilty

COUNT SIX

As to the offense charged in Count Six of the Fifth Superseding Indictment, conspiracy to commit registration violations involving aircraft not providing air transportation, we, the Jury, find the defendant **Debra Lynn Mercer-Erwin**:

 Guilty X Not Guilty

